

Docket No. 211952US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Toshiyuki SUZUKI et al.

SERIAL NO: 09/911,392

GAU: 2834

RCE FILED: HEREWITH

EXAMINER: ADDISON, KAREN B.

FOR: PIEZOELECTRIC RESONATOR, PIEZOELECTRIC RESONATOR COMPONENT AND METHOD OF MAKING THE SAME

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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**FEB 1 1 2004**

SIR:

Applicant(s) wish to disclose the following information.

**OFFICE OF PETITIONS**

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references cited in both the Chinese Office Action (English Translation) and European Search Report, and listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

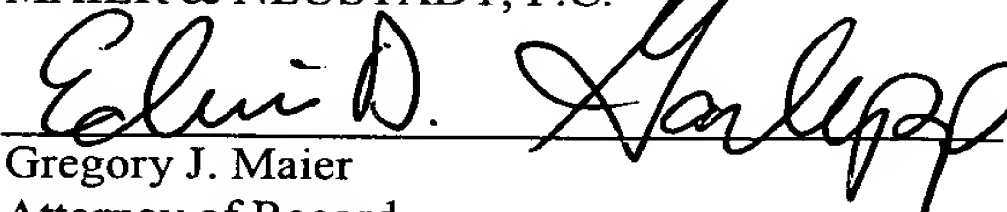
- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Gregory J. Maier

Attorney of Record

Registration No. 25,599

Edwin D. Garlepp

Registration No. 45,330

Customer Number

**22850**

Tel. (703) 413-3000

Fax. (703) 413-2220

(OSMMN 05/03)

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. <b>211952US2</b>		SERIAL NO. <b>09/911,392</b>	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT			
				Toshiyuki SUZUKI et al.			
				RCE FILED HEREWITH		GROUP 2834	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	4,356,421	10/26/1982	Shimizu et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES                      NO		
	AO	JP 10-242784	9/11/1998	Japan (with English Abstract)			X
	AP	JP 7-274287	10/20/1995	Japan (with English Abstract)			X
	AQ	CN-1168569	12/24/1997	China (with English Abstract)			X
	AR	EP 1 075 082 A2	2/7/2001	Europe	X		
	AS						
	AT						
	AU						
	AV						
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	AW						
	AX						
	AY						
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

CPME0141405

## Patent Office of the People's Republic of China

Address : Receiving Section of the Chinese Patent Office, No. 6 Tucheng Road West, Haidian District, Beijing. Postal code: 100088

<b>Applicant</b>	TDK CORPORATION			<b>Seal of Examiner</b>	<b>Date of Issue</b>
<b>Agent</b>	China Patent Agent (H.K.) Ltd.				November 14, 2003
<b>Patent Application No.</b>	01123087.8	<b>Application Date</b>	July 25, 2001	<b>Exam Dept.</b>	
<b>Title of Invention</b>	PIEZOELECTRIC RESONATOR, PIEZOELECTRIC RESONATOR COMPONENT AND METHOD OF MAKING THE SAME				

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*First Office Action*

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1. ☒ Pursuant to the provision of Article 35 (1) of the Chinese Patent Law, the examiner made an examination as to substance of the captioned patent application for invention upon the request for substantive examination filed by the applicant on \_\_\_\_\_.

☐ Pursuant to the provision of Article 35 (2) of the Chinese Patent Law, the Chinese Patent Office has decided to conduct on its own initiative an examination as to substance of the captioned patent application for invention.

2. ☒ The applicant requests taking the filing date, Jul 25, 2000, at the JP Patent Office, the filing date, Sep 19, 2000, at the JP Patent Office, the filing date, \_\_\_\_\_, at the \_\_\_\_\_ Patent Office as the priority date of the present application.

☒ A copy of the first filed patent application certified by the receiving organ of the initial country of filing has been submitted by the applicant.

☐ A copy of the first filed patent application certified by the receiving organ of the initial country of filing has not been submitted by the applicant. Pursuant to the provision of Article 30 of the Chinese Patent Law, no priority right shall be deemed to have been claimed.

3. ☒ The applicant filed amended application document(s) on Jan 7, 2002 and Aug 30, 2002.

☐ Examination has confirmed that \_\_\_\_\_ filed on \_\_\_\_\_ cannot be accepted, \_\_\_\_\_ filed on \_\_\_\_\_ cannot be accepted,

as the above amendment(s) ☐ is/are not in conformity with the provision of Article 33 of the Chinese Patent Law.

☐ is/are not in conformity with the provision of Rule 51 of the Implementing Regulations of the Chinese Patent Law.

☐ For the specific reason that the amendment(s) cannot be accepted, see the text of the Office Action.

4. ☐ The examination is conducted in the light of the original application document(s)  
☒ The examination is conducted in the light of the following application document(s):  
in the original application documents submitted on the filing date:  
Claim(s) 1-28, page(s) 1-3,5,6,8,10-13,15 of the description, Figure(s) \_\_\_\_\_  
of the drawing(s); Claim(s) \_\_\_\_\_, page(s) 4,7,9,14,16 of the description,  
Figure(s) 1-9 submitted on Aug 30, 2002; Claim(s) \_\_\_\_\_, page(s) \_\_\_\_\_  
of the description, Figure(s) \_\_\_\_\_ submitted on \_\_\_\_\_  
☒ Abstract of the description submitted on Jan 7, 2002.  
☒ The drawing of the abstract submitted on Jul 25, 2001.  
5. ☐ The present Office Action has been prepared without a search having been  
conducted.  
☒ The present Office Action has been prepared with a search having been  
conducted.  
☒ The following reference document(s) is/are cited in this Office Action (its/their serial  
number(s) will, continue to be used throughout the examination procedure):

No.	Number or Title of Document	Date of Publication (or filing date of interfering application)	
		(Date)	
1	JP-平 10-242784 (A)	(Date)	Sep 11, 1998
2	JP-平 7-274287 (A)	(Date)	Oct 20, 1995
3	CN-1168569 (A)	(Date)	Dec 24, 1997
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6. The concluding comments of the examiner are:

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- ☒ On the description:  
☐ The content of the application comes within the scope where no patent right is  
granted as provided in Article 5 of the Patent Law.  
☐ The description is not in conformity with the provision of Article 26(3) of the Patent  
Law.  
☒ The drafting of the description is not in conformity with the provision of Rule 18 of the  
Implementing Regulations.  
☒ On the claims:  
☐ Claim comes within the scope where no patent right is granted as provided in Article  
25 of the Patent Law.  
☐ Claim is not in conformity with the definition of invention in Rule 2(1) of the  
Implementing Regulations.  
☐ Claim \_\_\_\_\_ does not possess novelty as provided in Article 22(2) of the Patent  
Law.  
☒ Claim 1-3,5,6,8,10-13 does not possess inventiveness as provided in Article 22(3)  
of the Patent Law.

- ☐ Claim \_\_\_\_\_ does not possess practical applicability as provided in Article 22(4) of the Patent Law.
- ☐ Claim \_\_\_\_\_ is not in conformity with the provision of Article 26(4) of the Patent Law.
- ☒ Claim 19-28 is not in conformity with the provision of Article 31(1) of the Patent Law.
- ☒ Claim 1,9,13-15 is not in conformity with the provisions of Rules 20-23 of the Implementing Regulations.
- ☐ Claim \_\_\_\_\_ is not in conformity with the provision of Article 9 of the Patent Law.
- ☐ Claim \_\_\_\_\_ is not in conformity of the provision of Rule 12(1) of the Implementing Regulations.

For specific analyses of the above concluding comments, see the text of this Office Action.

7. In view of the above concluding comments, the examiner holds that:

- ☐ The applicant should amend the application document in accordance with the requirements raised in the text of this Office Action. The amended document(s) should be submitted in duplicate and should conform to the provisions of Article 33 of the Patent Law and Rule 51 of the Implementing Regulations of the Chinese Patent Law.
- ☒ The applicant should expound in his Observations the reasons why the captioned patent application is patentable and amend the places not conforming to regulations as pointed out in the text of the Office Action, otherwise it would be impossible for the patent right to be granted.
- ☐ The captioned patent application contains no substantive content for which the patent right may be granted, thus if the applicant has not advanced his reasons or has not done so adequately, the application will be rejected.

8. The applicant should pay attention to the following matters:

- (1) In accordance with the provision of Article 37 of the Patent Law, the applicant should submit his/its Observations within **four** months from the date of receipt of this Office Action; if, without any justified reason, the time limit for making response is not met, the application will be deemed to have been withdrawn.
- (2) The amendments made by the applicant to his application should conform to the provision of Article 33 of the Patent Law, the amended text should be in duplicate and the format should conform to the relevant provisions of the Guidelines for Examination.
- (3) The applicant's Observations or amended text should be mailed or presented to the Receiving Section of the Chinese Patent Office. Document no mailed or presented to the Acceptance Section have no legal force.
- (4) Without making an appointment, the applicant and/or agent may not come to the Chinese Patent Office to hold an interview with the examiner.

9. This Office Action consists of the text portion totalling 4 page(s) and of the following annex(es):

- ☒ 3 duplicate copies of the reference document(s) cited totalling 57 page(s).



P.B.5818 - Patentlaan 2  
2280 HV Rijswijk (ZH)  
☎ +31 70 340 2040  
TX 31651 epo nl  
FAX +31 70 340 3016

Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

European  
Patent Office

Branch at  
The Hague  
Search  
division

Office européen  
des brevets

Département à  
La Haye  
Division de la  
recherche

Grünecker, Kinkeldey,  
Stockmair & Schwanhäusser  
Anwaltssozietät  
Maximilianstrasse 58  
80538 München  
ALLEMAGNE

GRÜNECKER, KINKELDEY, STOCKMAIR  
& SCHWANHÄUSSER  
ANWALTSSOZietät

15. Okt. 2003

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Datum/Date

15.10.03

Zeichen/Ref./Réf.

EP22016-045/do

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

01118035.3-2215-

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

TDK Corporation

## COMMUNICATION

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The European Patent Office herewith transmits as an enclosure the European search report for the  
above-mentioned European patent application.

FEB 1 1 2004

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If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed  
as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this  
communication.

The following figure will be published together with the abstract:

1

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication  
from the Receiving Section on the refund of the search fee will be sent later.







European Patent  
Office

# EUROPEAN SEARCH REPORT

Application Number  
EP 01 11 8035

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
② A ✓	US 4 356 421 A (SHIMIZU HIROSHI ET AL) 26 October 1982 (1982-10-26) * column 1, line 50 - column 2, line 2 * * column 5, line 4-56 * -----	1	H03H9/17 H03H9/13
② L,P, A	EP 1 075 082 A (TDK CORP) 7 February 2001 (2001-02-07)	1,4,5,7, 9-13, 15-28 14	<b>RECEIVED</b>  FEB 1 1 2004  OFFICE OF PETITIONS
L,P, X	priority * page 16, line 33 - page 18, line 43; figures 31-38 * -----		
The present search report has been drawn up for all claims			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			H03H
Place of search		Date of completion of the search	Examiner
THE HAGUE		6 October 2003	Coppieters, C
<b>CATEGORY OF CITED DOCUMENTS</b>			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ..... & : member of the same patent family, corresponding document			

2

EPO FORM 1503 03.82 (P04C01)

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 01 11 8035

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

06-10-2003

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 4356421 A	26-10-1982	JP 1481878 C	27-02-1989
		JP 56134817 A	21-10-1981
		JP 63027887 B	06-06-1988
		JP 1481879 C	27-02-1989
		JP 56134818 A	21-10-1981
		JP 63027888 B	06-06-1988
EP 1075082 A	07-02-2001	JP 2001053575 A	23-02-2001
		JP 2001185982 A	06-07-2001
		JP 2001292049 A	19-10-2001
		CN 1284788 A	21-02-2001
		EP 1075082 A2	07-02-2001
		TW 456060 B	21-09-2001
		US 6404102 B1	11-06-2002

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